

November 3, 2025

Via Email Only

The Honorable Brian E. Murphy
United States District Court
District of Massachusetts
1 Courthouse Way
Boston, Massachusetts 02210

Re: Civil Action No.: 1:25-cv-10597-BEM, Egypt House v. John P. Kelley, *et al.*

Dear Judge Murphy:

In response to our exchange this morning regarding identification of individuals who have occupied Egypt House for the benefit of the Town of Marblehead Board of Assessors and whether Defendants agreed to covering of the Holy Objects, attached are the following documents (pertinent text highlighted for efficient review):

1. Appellee Board of Assessors of Town of Marblehead's Motion to Compel Further Responses to First Request for Production of Documents to Appellant Egypt House dated September 6, 2023. Request No.: 16 on pages 7-9 provides the relevant background.
2. Correspondence dated September 12, 2023, addressed to Chairman Mark J. DeFrancisco from Bishop Philomelion from which the quote that appears on page 4 of Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction with Memorandum (ECF No.: 115) was derived.
3. Order of the Appellate Tax Board of the Commonwealth of Massachusetts entered September 18, 2023, pursuant to which Appellant was not required to disclose the names of occupants at Egypt House, as required by Appellee's Motion to Compel.
4. Official Hearing transcript dated May 20, 2025 of proceedings before the Appellate Tax Board of the Commonwealth of Massachusetts, in Re: Docket Nos.: F-351238 and F351239.
5. Official Hearing Transcript dated June 25, 2025 of proceedings before the Appellate Tax Board of the Commonwealth of Massachusetts, in Re: Docket Nos.: F-351238 and F-351239.

This morning, I appeared before your Honor to request 2 actions, that the Court require the destruction of two (2) photographic images and enjoin Defendants from requesting the disclosure of *occupants* of Egypt House, in keeping with the prior order of the Appellate Tax Board and Supreme Court precedent.

As stated this morning, Egypt House is solely used for religious purposes and the sole reason anyone comes to Egypt House is for a religious purpose, *i.e.*, to make a pilgrimage, which necessarily implies either spiritual counseling, participating in the Sacraments, attending Divine Services such as Divine Liturgy, Matins, Vespers, or other liturgical service. It is not possible to be a pilgrim for a non-religious, non-protected, non-worship purpose. That person would not be a pilgrim and no non-pilgrims have ever stayed at Egypt House. Defendants asked for the identity of tenants and renters. There have been no tenants or renters. Additionally, Plaintiff disclosed to Defendants that Father Andrew lives at Egypt House. Dr. George Kordis, an iconographer from Athens, has resided at Egypt House while writing

the Holy Icons. Plaintiff also disclosed the names of three priests, Bishop Theophan of Philomelion, Father Paul Zuniga and Father Nectarios Trevino, who have all celebrated at Egypt House. The only other people who have come to Egypt House are people who have come as pilgrims to venerate the Saints, for marriage counseling and spiritual retreats which necessarily implies spiritual direction and confession. It might appear that a request to identify an occupant of a dwelling used for religious purposes as not offensive to religious practice; however, in this instance, there are no other functions at Egypt House, except those for which the protections accorded religious association are available. In this instance, no one would come to Egypt House on pilgrimage if they thought that their names would be subject to litigation and their faith to scrutiny – which is exactly what Defendants want to do, as you can see from section 16 of the Motion to Compel dated September 6, 2023. Defendants want to examine the religious practice of people who come to Egypt House. Such activities would provide the exact chilling effect that Chief Justice Roberts references in *Americans for Prosperity v Bonta* (2021). An act of pilgrimage for Orthodox Catholics is an act of worship in itself, either to discharge a religious obligation as expiation for sin or to seek supernatural aid.

You also mentioned Plaintiff's Fourth Amended and Restated Verified Complaint; specifically, paragraph 65, contained on page 10 (ECF No.: 110) and stated this claim is a lie. The official hearing transcript enumerated at Item No.: 4 above, evidences the fact Defendants did not agree to the covering of the Holy Objects; this was actually accomplished by order of the Appellate Tax Board, pursuant to which the Holy Objects were covered.

Plaintiff respectfully requests this Court review the attached evidentiary documentation prior to ruling on Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction.

Respectfully,

EGYPT HOUSE

Tracey M.A. Stockton

Tracey M.A. Stockton
Counsel to Plaintiff

Attachments

CERTIFICATE OF SERVICE

Pursuant to USCS Fed Rules Civ Proc R 5, I certify a copy of Plaintiff's Transmittal to the Honorable Brian E. Murphy, inclusive of attachments, was served upon all parties of record via electronic mail upon on November 3, 2025.

/s/Tracey M.A. Stockton
Tracey M.A. Stockton